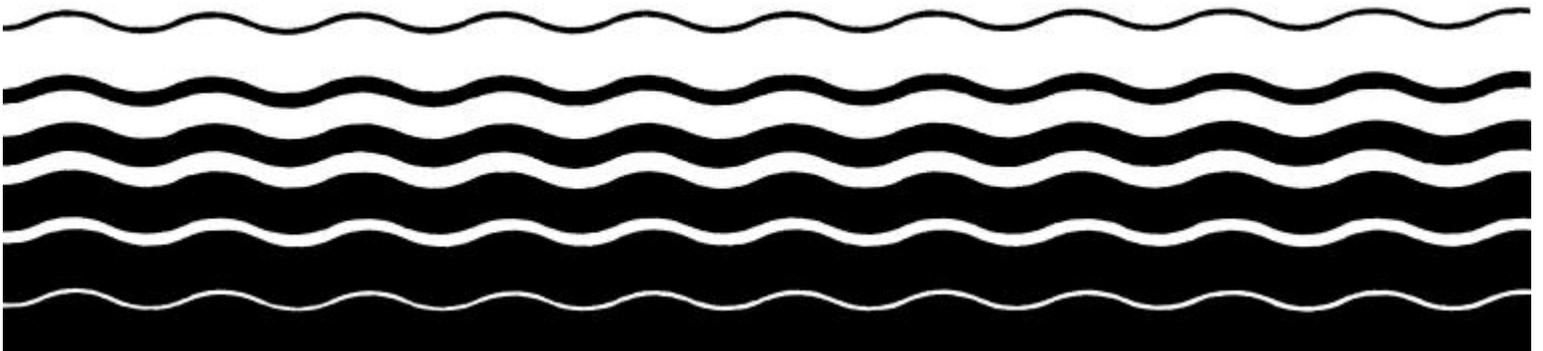




Report to Congress On The Phase I Storm Water Regulations





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 1 2000

THE ADMINISTRATOR

The Honorable James L. Oberstar
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Oberstar:

The Environmental Protection Agency (EPA) is pleased to submit this Report to Congress on Phase I of the Storm Water Program. The Report responds to section 431(b) of the Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act of 2000, Public Law 106-74 (1999) ("Appropriations Act"). The Appropriations Act directs EPA to conduct an evaluation of the Phase I Storm Water Program as follows:

No later than 120 days after the enactment of this Act, the Environmental Protection Agency shall submit to the Environment and Public Works Committee of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing a detailed explanation of the impact, if any, that the Phase I program has had in improving water quality in the United States (including a description of specific measures that have been successful and those that have been unsuccessful).

In response to the mandate of the Appropriations Act, EPA conducted a review of existing and readily available information on the status and effectiveness of the Phase I storm water program. Our analysis of the Phase I storm water program demonstrates that a flexible regulatory framework is in place for controlling storm water discharges from municipal, construction, and industrial sources. Many Phase I program components, such as site-specific storm water pollution prevention plans (SWPPPs) and best management practices (BMPs), were found to be effective in preventing or reducing the discharge of pollutants in storm water in specific cases. Although we acknowledge that we do not currently have a system in place to measure the success of the Phase I program on a national scale, surveys and case studies described in this Report indicate that significant milestones are being achieved. This Report specifically provides evidence that the Phase I program has been successful in reducing pollutant loadings in storm water discharges and protecting and improving water quality on a site-specific basis. We have worked with stakeholders, and will continue to do so, to try to identify meaningful measures for reporting the effectiveness of the Phase I storm water program in the future.

In developing this Report to Congress, EPA was aware that the issue of storm water impacts to surface waters pre-dated the Phase I program. EPA wishes to acknowledge and applaud the efforts of many entities to address the potential impacts on water quality associated with storm water discharges prior to the Phase I program. These efforts include, for example, various regulatory and voluntary programs initiated at the State and local level. EPA accounted for many of these ongoing efforts in developing the Phase I rule, by providing flexibility in rule implementation to account for existing and applicable programs or efforts. In this Report, the Agency has taken a relatively conservative approach to distinguishing between successful efforts attributable to the Phase I program and earlier or parallel successful storm water control efforts, crediting success to the Phase I program only when efforts were directly attributable to the program. At the same time, this report acknowledges the many other efforts that have been and are being folded into the Phase I program as it matures. Where there is uncertainty related to the direct attribution of individual successes to the Phase I program, the Report provides appropriate caveats.

I believe this Report to Congress responds to the mandate of section 431(b) of the Appropriations Act of 2000. This Report constitutes an insightful and comprehensive examination of Phase I of the Storm Water Program, and its findings and recommendations are sound. EPA will publish notice of the Report in the Federal Register.

Sincerely,



Carol M. Browner

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 1 2000

THE ADMINISTRATOR

The Honorable Robert C. Smith
Chairman
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

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THE ADMINISTRATOR

The Honorable Bud Shuster
Chairman
Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

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THE ADMINISTRATOR

The Honorable Max Baucus
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Senator Baucus:

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Carol M. Browner

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ACKNOWLEDGMENTS

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The report was prepared under the direction of Daniel Weese, Patrick Ogbebor, and Ross Brennan of EPA's Office of Wastewater Management. Thomas O'Connor, of EPA's Office of Research and Development, and Peter Swenson, of EPA's Region 5, provided valuable comments.

EPA also gratefully acknowledges the assistance of the cities used as case studies in this report.

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REFERENCES

LIST OF ACRONYMS

ASWIPCA	Association of State and Interstate Water Pollution Control Administrators
BMP	Best management practice
CSO	Combined sewer overflow
CWA	Clean Water Act
CZARA	Coastal Zone Act Reauthorization Amendments of 1990
CZMA	Coastal Zone Management Act
GPRA	Government Performance and Results Act
LID	Low-impact development
MS4	Municipal separate storm sewer system
MSGP	Multi-Sector General Permit
NAFSMA	National Association of Flood and Stormwater Management Agencies
NOI	Notice of intent
NPDES	National Pollutant Discharge Elimination System
NRDC	Natural Resources Defense Council
NURP	Nationwide Urban Runoff Program
OWM	EPA Office of Wastewater Management
POTW	Publicly owned treatment works
SIC	Standard Industrial Classification code
SWPPP	Storm water pollution prevention plan
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USGS	U.S. Geological Survey
WEF	Water Environment Federation
WQA	Water Quality Act